

**WEST VIRGINIA LEGISLATURE
EIGHTIETH LEGISLATURE
REGULAR SESSION, 2012**

—●—
ENROLLED

COMMITTEE SUBSTITUTE

FOR

Senate Bill No. 186

**(SENATORS PLYMALE, WELLS, BROWNING,
EDGELL, BOLEY, STOLLINGS, JENKINS,
FOSTER, YOST AND BEACH, ORIGINAL SPONSORS)**

[PASSED MARCH 8, 2012; IN EFFECT FROM PASSAGE.]

OFFICE WEST VIRGINIA
SECRETARY OF STATE

2012 MAR 20 PM 4:00

FILED

SB 186

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STOLLINGS, JENKINS, FOSTER, YOST AND BEACH, *original sponsors*)

[Passed March 8, 2012; in effect from passage.]

AN ACT to amend and reenact §18A-4-2, §18A-4-5 and §18A-4-8a of the Code of West Virginia, 1931, as amended, all relating to providing salary equity supplement payments to teachers and service personnel in order to achieve salary equity among the counties; specifying the amounts of those equity supplements; changing the methods of calculating the difference in salary potential of school employees among the counties; requiring the Department of Education to request additional funds if it determines the equity objective is not being met; clarifying the amount of equity supplement to be paid from state funds; and deleting obsolete provisions.

Be it enacted by the Legislature of West Virginia:

That §18A-4-2, §18A-4-5 and §18A-4-8a of the Code of West Virginia, 1931, as amended, be amended and reenacted, all to read as follows:

ARTICLE 4. SALARIES, WAGES AND OTHER BENEFITS.

§18A-4-2. State minimum salaries for teachers.

1 (a) Beginning July 1, 2011, and continuing thereafter,
 2 each teacher shall receive the amount prescribed in the State
 3 Minimum Salary Schedule as set forth in this section,
 4 specific additional amounts prescribed in this section or
 5 article and any county supplement in effect in a county
 6 pursuant to section five-a of this article during the contract
 7 year.

8

STATE MINIMUM SALARY SCHEDULE

9	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
10	Years	4th	3rd	2nd	A.B.	M.A.	M.A.	M.A.	M.A.	Doc-	
11	Exp.	Class	Class	Class	A.B.	+15	M.A.	+15	+30	+45	torate
12	0	26,917	27,606	27,872	29,315	30,078	31,843	32,804	33,365	34,128	35,181
13	1	27,245	27,934	28,200	29,833	30,594	32,382	33,123	33,883	34,844	35,679
14	2	27,574	28,282	28,528	30,352	31,113	32,880	33,841	34,402	35,163	36,198
15	3	27,902	28,590	28,858	30,871	31,831	33,399	34,180	34,920	35,881	36,718
16	4	28,474	29,182	29,428	31,833	32,394	34,182	34,923	35,683	38,444	37,479
17	5	28,802	29,490	29,758	32,152	32,913	34,880	35,441	38,202	36,983	37,998
18	8	29,130	29,818	30,084	32,870	33,431	35,199	35,980	38,720	37,481	38,518
19	7	29,458	30,147	30,412	33,189	33,950	35,717	38,478	37,239	38,000	39,035
20	8	29,786	30,475	30,741	33,707	34,488	38,236	38,997	37,757	38,518	39,553
21	9	30,114	30,803	31,069	34,226	34,987	36,754	37,515	38,276	39,037	40,072
22	10	30,443	31,131	31,397	34,746	35,506	37,274	38,035	38,796	39,556	40,591
23	11	30,771	31,459	31,725	35,284	36,025	37,793	38,553	39,314	40,075	41,110
24	12	31,099	31,787	32,053	35,783	36,543	38,311	39,072	39,833	40,593	41,628
25	13	31,427	32,115	32,381	36,301	37,062	38,830	39,590	40,351	41,112	42,147
26	14	31,755	32,443	32,709	36,820	37,580	39,348	40,109	40,870	41,630	42,665
27	15	32,083	32,771	33,037	37,338	38,099	39,867	40,627	41,388	42,149	43,184
28	16	32,411	33,099	33,365	37,857	38,617	40,385	41,146	41,907	42,887	43,702
29	17	32,739	33,428	33,693	38,375	39,136	40,904	41,665	42,425	43,186	44,221
30	18	33,067	33,756	34,022	38,894	39,655	41,422	42,183	42,944	43,705	44,740
31	19	33,395	34,084	34,350	39,412	40,173	41,941	42,702	43,462	44,223	45,258
32	20	33,723	34,412	34,678	39,931	40,692	42,459	43,220	43,981	44,742	45,777
33	21	34,052	34,740	35,006	40,449	41,210	42,978	43,739	44,499	45,260	46,295
34	22	34,380	35,068	35,334	40,968	41,729	43,496	44,257	45,018	45,779	46,814
35	23	34,708	35,396	35,662	41,487	42,247	44,015	44,778	45,536	46,297	47,332
36	24	35,036	35,724	35,990	42,005	42,766	44,534	45,294	46,055	46,816	47,851

37 **STATE MINIMUM SALARY SCHEDULE**

38	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
39	Years	4th	3rd	2nd	A.B.	A.B.	M.A.	M.A.	M.A.	M.A.	Doc-
40	Exp.	Class	Class	Class	A.B.	+15	M.A.	+15	+30	+45	torate
41	25	35,384	38,052	38,318	42,524	43,284	45,052	45,813	46,574	47,334	48,389
42	28	35,692	38,380	38,848	43,042	43,803	45,571	46,331	47,092	47,853	48,888
43	27	38,020	38,708	38,974	43,581	44,321	46,089	46,850	47,611	48,371	49,406
44	28	38,348	37,037	37,302	44,079	44,840	46,608	47,368	48,129	48,890	49,925
45	29	36,676	37,365	37,631	44,598	45,358	47,128	47,887	48,648	49,408	50,443
46	30	37,004	37,693	37,959	45,116	45,877	47,645	48,405	49,166	49,927	50,962
47	31	37,333	38,021	38,287	45,635	46,396	48,163	48,924	49,685	50,445	51,480
48	32	37,661	38,349	38,615	46,153	46,914	48,682	49,443	50,203	50,964	51,999
49	33	37,989	38,677	38,943	46,672	47,433	49,200	49,961	50,722	51,483	52,518
50	34	38,317	39,005	39,271	47,190	47,951	49,719	50,480	51,240	52,001	53,036
51	35	38,645	39,333	39,599	47,709	48,470	50,237	50,998	51,759	52,520	53,555

52 (b) \$600 shall be paid annually to each classroom teacher
 53 who has at least twenty years of teaching experience. The
 54 payments: (i) Shall be in addition to any amounts prescribed
 55 in the applicable state minimum salary schedule; (ii) shall be
 56 paid in equal monthly installments; and (iii) shall be consid-
 57 ered a part of the state minimum salaries for teachers.

58 (c) To meet the objective of salary equity among the
 59 counties as set forth in section five of this article, each
 60 teacher shall be paid an equity supplement amount as
 61 applicable for his or her classification of certification or
 62 classification of training and years of experience as follows,
 63 subject to the provisions of that section:

64 (1) For "4th Class" at zero years of experience, \$1,781.
 65 An additional \$38 shall be paid for each year of experience
 66 up to and including thirty-five years of experience;

67 (2) For "3rd Class" at zero years of experience, \$1,796.
 68 An additional \$67 shall be paid for each year of experience
 69 up to and including thirty-five years of experience;

70 (3) For "2nd Class" at zero years of experience, \$1,877.
 71 An additional \$69 shall be paid for each year of experience
 72 up to and including thirty-five years of experience;

73 (4) For "A. B." at zero years of experience, \$2,360. An
74 additional \$69 shall be paid for each year of experience up to
75 and including thirty-five years of experience;

76 (5) For "A. B. + 15" at zero years of experience, \$2,452.
77 An additional \$69 shall be paid for each year of experience
78 up to and including thirty-five years of experience;

79 (6) For "M. A." at zero years of experience, \$2,644. An
80 additional \$69 shall be paid for each year of experience up to
81 and including thirty-five years of experience;

82 (7) For "M. A. + 15" at zero years of experience, \$2,740.
83 An additional \$69 shall be paid for each year of experience
84 up to and including thirty-five years of experience;

85 (8) For "M. A. + 30" at zero years of experience, \$2,836.
86 An additional \$69 shall be paid for each year of experience
87 up to and including thirty-five years of experience;

88 (9) For "M. A. + 45" at zero years of experience, \$2,836.
89 An additional \$69 shall be paid for each year of experience
90 up to and including thirty-five years of experience; and

91 (10) For "Doctorate" at zero years of experience, \$2,927.
92 An additional \$69 shall be paid for each year of experience
93 up to and including thirty-five years of experience.

94 These payments: (i) Shall be in addition to any amounts
95 prescribed in the applicable State Minimum Salary Sched-
96 ule, any specific additional amounts prescribed in this
97 section and article and any county supplement in effect in a
98 county pursuant to section five-a of this article; (ii) shall be
99 paid in equal monthly installments; and (iii) shall be consid-
100 ered a part of the state minimum salaries for teachers.

§18A-4-5. Salary equity among the counties; state salary supplement.

1 (a) For the purposes of this section, salary equity among
2 the counties means that the salary potential of school
3 employees employed by the various districts throughout the
4 state does not differ by greater than ten percent between

5 those offering the highest salaries and those offering the
6 lowest salaries. In the case of professional educators, the
7 difference shall be calculated using the average of the
8 professional educator salary schedules, degree classifications
9 B. A. through doctorate and the years of experience provided
10 in the most recent state minimum salary schedule for
11 teachers, in effect in the ten counties offering the highest
12 salary schedules compared to the lowest salary schedule in
13 effect among the fifty-five counties. In the case of school
14 service personnel, the difference shall be calculated utilizing
15 the average of the school service personnel salary schedules,
16 pay grades A through H and the years of experience provided
17 in the most recent state minimum pay scale pay grade for
18 service personnel, in effect in the ten counties offering the
19 highest salary schedules compared to the lowest salary
20 schedule in effect among the fifty-five counties.

21 (b) To meet the objective of salary equity among the
22 counties, as defined in subsection (a) of this section, on and
23 after July 1, 1984, subject to available state appropriations
24 and the conditions set forth herein, each teacher and school
25 service personnel shall receive an equity supplement amount
26 as specified in sections two and eight-a, respectively, of this
27 article in addition to the amount from the state minimum
28 salary schedules provided in those sections.

29 (c) State funds for this purpose shall be paid within the
30 West Virginia public school support plan in accordance with
31 article nine-a, chapter eighteen of this code. The amount
32 allocated for salary equity shall be apportioned between
33 teachers and school service personnel in direct proportion to
34 that amount necessary to support the professional salaries
35 and service personnel salaries statewide under sections four,
36 five and eight, article nine-a, chapter eighteen of this code.
37 In the event the Department of Education determines that
38 the objective of salary equity among the counties has not
39 been met, it shall include in its budget request for the public
40 school support plan for the next school year a request for
41 funding sufficient to meet the objective of salary equity
42 through an across-the-board increase in the equity supple-
43 ment amount of the affected class of employees.

44 (d) Pursuant to this section, each teacher and service
 45 person shall receive from state funds the equity supplement
 46 amount indicated in subsection (c), section two and subsec-
 47 tion (f), section eight-a of this article, as applicable, reduced
 48 by any amount provided by the county as a salary supple-
 49 ment for teachers and school service personnel on January 1,
 50 1984.

51 (e) The amount received pursuant to this section shall not
 52 be decreased as a result of any county supplement increase
 53 instituted after January 1, 1984: *Provided*, That any amount
 54 received pursuant to this section may be reduced proportion-
 55 ately based upon the amount of funds appropriated for this
 56 purpose. No county may reduce any salary supplement that
 57 was in effect on January 1, 1984, except as permitted by
 58 sections five-a and five-b of this article.

§18A-4-8a. Service personnel minimum monthly salaries.

1 (a) The minimum monthly pay for each service employee
 2 shall be as follows:

3 (1) Beginning July 1, 2011, and continuing thereafter, the
 4 minimum monthly pay for each service employee whose
 5 employment is for a period of more than three and one-half
 6 hours a day shall be at least the amounts indicated in the
 7 State Minimum Pay Scale Pay Grade and the minimum
 8 monthly pay for each service employee whose employment is
 9 for a period of three and one-half hours or less a day shall be
 10 at least one half the amount indicated in the State Minimum
 11 Pay Scale Pay Grade set forth in this subdivision.

12 STATE MINIMUM PAY SCALE PAY GRADE

13 Years

14 Exp.	15 Pay Grade								
	A	B	C	D	E	F	G	H	
16 0	1,627	1,648	1,689	1,741	1,793	1,855	1,886	1,958	
17 1	1,659	1,680	1,721	1,773	1,825	1,887	1,918	1,990	
18 2	1,691	1,712	1,753	1,805	1,857	1,919	1,950	2,022	
19 3	1,723	1,744	1,785	1,837	1,889	1,951	1,982	2,054	

20		STATE MINIMUM PAY SCALE PAY GRADE							
21	Years								
22	Exp.	Pay Grade							
23		<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>
24	4	1,755	1,776	1,817	1,869	1,921	1,983	2,014	2,087
25	5	1,787	1,808	1,849	1,901	1,953	2,015	2,046	2,119
26	6	1,819	1,840	1,882	1,933	1,985	2,047	2,078	2,151
27	7	1,852	1,872	1,914	1,965	2,017	2,079	2,110	2,183
28	8	1,884	1,904	1,946	1,997	2,049	2,111	2,142	2,215
29	9	1,916	1,936	1,978	2,030	2,081	2,143	2,174	2,247
30	10	1,948	1,969	2,010	2,062	2,113	2,176	2,207	2,279
31	11	1,980	2,001	2,042	2,094	2,145	2,208	2,239	2,311
32	12	2,012	2,033	2,074	2,126	2,178	2,240	2,271	2,343
33	13	2,044	2,065	2,106	2,158	2,210	2,272	2,303	2,375
34	14	2,076	2,097	2,138	2,190	2,242	2,304	2,335	2,407
35	15	2,108	2,129	2,170	2,222	2,274	2,336	2,367	2,439
36	16	2,140	2,161	2,202	2,254	2,306	2,368	2,399	2,472
37	17	2,172	2,193	2,235	2,286	2,338	2,400	2,431	2,504
38	18	2,204	2,225	2,267	2,318	2,370	2,432	2,463	2,536
39	19	2,237	2,257	2,299	2,350	2,402	2,464	2,495	2,568
40	20	2,269	2,289	2,331	2,383	2,434	2,496	2,527	2,601
41	21	2,301	2,321	2,363	2,415	2,466	2,528	2,559	2,634
42	22	2,333	2,354	2,395	2,447	2,498	2,561	2,593	2,666
43	23	2,365	2,386	2,427	2,479	2,531	2,594	2,625	2,699
44	24	2,397	2,418	2,459	2,511	2,563	2,627	2,658	2,732
45	25	2,429	2,450	2,491	2,543	2,596	2,659	2,691	2,764
46	26	2,461	2,482	2,523	2,576	2,629	2,692	2,723	2,797
47	27	2,493	2,514	2,555	2,608	2,661	2,724	2,756	2,829
48	28	2,525	2,546	2,588	2,641	2,694	2,757	2,789	2,863
49	29	2,557	2,579	2,621	2,673	2,726	2,790	2,821	2,896
50	30	2,591	2,611	2,654	2,706	2,759	2,822	2,854	2,928
51	31	2,623	2,644	2,687	2,739	2,792	2,855	2,887	2,961
52	32	2,656	2,676	2,719	2,772	2,824	2,888	2,919	2,994
53	33	2,689	2,709	2,752	2,805	2,857	2,920	2,953	3,026
54	34	2,721	2,743	2,785	2,838	2,890	2,954	2,986	3,059
55	35	2,754	2,775	2,817	2,870	2,923	2,987	3,018	3,092

56 STATE MINIMUM PAY SCALE PAY GRADE									
57	Years								
58	Exp.	Pay Grade							
59		A	B	C	D	E	F	G	H
60	36	2,787	2,808	2,850	2,903	2,956	3,019	3,051	3,124
61	37	2,819	2,841	2,883	2,936	2,989	3,052	3,083	3,157
62	38	2,852	2,873	2,915	2,968	3,021	3,084	3,116	3,190
63	39	2,885	2,906	2,948	3,001	3,054	3,117	3,149	3,222
64	40	2,917	2,939	2,980	3,033	3,087	3,150	3,181	3,256

65 (2) Each service employee shall receive the amount
 66 prescribed in the Minimum Pay Scale in accordance with the
 67 provisions of this subsection according to their class title and
 68 pay grade as set forth in this subdivision:

69	CLASS TITLE	PAY GRADE
70	Accountant I	D
71	Accountant II	E
72	Accountant III	F
73	Accounts Payable Supervisor	G
74	Aide I	A
75	Aide II	B
76	Aide III	C
77	Aide IV	D
78	Audiovisual Technician	C
79	Auditor	G
80	Autism Mentor	F
81	Braille or Sign Language Specialist	E
82	Bus Operator	D
83	Buyer	F
84	Cabinetmaker	G
85	Cafeteria Manager	D
86	Carpenter I	E
87	Carpenter II	F
88	Chief Mechanic	G
89	Clerk I	B
90	Clerk II	C

91	Computer Operator	E
92	Cook I	A
93	Cook II	B
94	Cook III	C
95	Crew Leader	F
96	Custodian I	A
97	Custodian II	B
98	Custodian III	C
99	Custodian IV	D
100	Director or Coordinator of Services	H
101	Draftsman	D
102	Electrician I	F
103	Electrician II	G
104	Electronic Technician I	F
105	Electronic Technician II	G
106	Executive Secretary	G
107	Food Services Supervisor	G
108	Foreman	G
109	General Maintenance	C
110	Glazier	D
111	Graphic Artist	D
112	Groundsman	B
113	Handyman	B
114	Heating and Air Conditioning Mechanic I	E
115	Heating and Air Conditioning Mechanic II	G
116	Heavy Equipment Operator	E
117	Inventory Supervisor	D
118	Key Punch Operator	B
119	Licensed Practical Nurse	F
120	Locksmith	G
121	Lubrication Man	C
122	Machinist	F
123	Mail Clerk	D
124	Maintenance Clerk	C
125	Mason	G
126	Mechanic	F
127	Mechanic Assistant	E

128	Office Equipment Repairman I	F
129	Office Equipment Repairman II	G
130	Painter	E
131	Paraprofessional	F
132	Payroll Supervisor	G
133	Plumber I	E
134	Plumber II	G
135	Printing Operator	B
136	Printing Supervisor	D
137	Programmer	H
138	Roofing/Sheet Metal Mechanic	F
139	Sanitation Plant Operator	G
140	School Bus Supervisor	E
141	Secretary I	D
142	Secretary II	E
143	Secretary III	F
144	Supervisor of Maintenance	H
145	Supervisor of Transportation	H
146	Switchboard Operator-Receptionist	D
147	Truck Driver	D
148	Warehouse Clerk	C
149	Watchman	B
150	Welder	F
151	WVEIS Data Entry and Administrative Clerk	B

152 (b) An additional \$12 per month shall be added to the
153 minimum monthly pay of each service employee who holds
154 a high school diploma or its equivalent.

155 (c) An additional \$11 per month also shall be added to
156 the minimum monthly pay of each service employee for each
157 of the following:

158 (1) A service employee who holds twelve college hours or
159 comparable credit obtained in a trade or vocational school as
160 approved by the state board;

161 (2) A service employee who holds twenty-four college
162 hours or comparable credit obtained in a trade or vocational

163 school as approved by the state board;

164 (3) A service employee who holds thirty-six college hours
165 or comparable credit obtained in a trade or vocational school
166 as approved by the state board;

167 (4) A service employee who holds forty-eight college
168 hours or comparable credit obtained in a trade or vocational
169 school as approved by the state board;

170 (5) A service employee who holds sixty college hours or
171 comparable credit obtained in a trade or vocational school as
172 approved by the state board;

173 (6) A service employee who holds seventy-two college
174 hours or comparable credit obtained in a trade or vocational
175 school as approved by the state board;

176 (7) A service employee who holds eighty-four college
177 hours or comparable credit obtained in a trade or vocational
178 school as approved by the state board;

179 (8) A service employee who holds ninety-six college
180 hours or comparable credit obtained in a trade or vocational
181 school as approved by the state board;

182 (9) A service employee who holds one hundred eight
183 college hours or comparable credit obtained in a trade or
184 vocational school as approved by the state board;

185 (10) A service employee who holds one hundred twenty
186 college hours or comparable credit obtained in a trade or
187 vocational school as approved by the state board;

188 (d) An additional \$40 per month also shall be added to
189 the minimum monthly pay of each service employee for each
190 of the following:

191 (1) A service employee who holds an associate's degree;

192 (2) A service employee who holds a bachelor's degree;

193 (3) A service employee who holds a master's degree;

194 (4) A service employee who holds a doctorate degree.

195 (e) An additional \$11 per month shall be added to the
196 minimum monthly pay of each service employee for each of
197 the following:

198 (1) A service employee who holds a bachelor's degree
199 plus fifteen college hours;

200 (2) A service employee who holds a master's degree plus
201 fifteen college hours;

202 (3) A service employee who holds a master's degree plus
203 thirty college hours;

204 (4) A service employee who holds a master's degree plus
205 forty-five college hours; and

206 (5) A service employee who holds a master's degree plus
207 sixty college hours.

208 (f) To meet the objective of salary equity among the
209 counties, each service employee shall be paid an equity
210 supplement, as set forth in section five of this article, of \$152
211 per month, subject to the provisions of that section. These
212 payments: (i) Shall be in addition to any amounts prescribed
213 in the applicable State Minimum Pay Scale Pay Grade, any
214 specific additional amounts prescribed in this section and
215 article and any county supplement in effect in a county
216 pursuant to section five-b of this article; (ii) shall be paid in
217 equal monthly installments; and (iii) shall be considered a
218 part of the state minimum salaries for service personnel.

219 (g) When any part of a school service employee's daily
220 shift of work is performed between the hours of six o'clock
221 p. m. and five o'clock a. m. the following day, the employee
222 shall be paid no less than an additional \$10 per month and
223 one half of the pay shall be paid with local funds.

224 (h) Any service employee required to work on any legal
225 school holiday shall be paid at a rate one and one-half times
226 the employee's usual hourly rate.

227 (i) Any full-time service personnel required to work in

228 excess of their normal working day during any week which
229 contains a school holiday for which they are paid shall be
230 paid for the additional hours or fraction of the additional
231 hours at a rate of one and one-half times their usual hourly
232 rate and paid entirely from county board funds.

233 (j) No service employee may have his or her daily work
234 schedule changed during the school year without the em-
235 ployee's written consent and the employee's required daily
236 work hours may not be changed to prevent the payment of
237 time and one-half wages or the employment of another
238 employee.

239 (k) The minimum hourly rate of pay for extra duty
240 assignments as defined in section eight-b of this article shall
241 be no less than one seventh of the employee's daily total
242 salary for each hour the employee is involved in performing
243 the assignment and paid entirely from local funds: *Provided,*
244 That an alternative minimum hourly rate of pay for perform-
245 ing extra duty assignments within a particular category of
246 employment may be used if the alternate hourly rate of pay
247 is approved both by the county board and by the affirmative
248 vote of a two-thirds majority of the regular full-time employ-
249 ees within that classification category of employment within
250 that county: *Provided, however,* That the vote shall be by
251 secret ballot if requested by a service person within that
252 classification category within that county. The salary for any
253 fraction of an hour the employee is involved in performing
254 the assignment shall be prorated accordingly. When per-
255 forming extra duty assignments, employees who are regu-
256 larly employed on a one-half day salary basis shall receive
257 the same hourly extra duty assignment pay computed as
258 though the employee were employed on a full-day salary
259 basis.

260 (l) The minimum pay for any service personnel employees
261 engaged in the removal of asbestos material or related duties
262 required for asbestos removal shall be their regular total
263 daily rate of pay and no less than an additional \$3 per hour
264 or no less than \$5 per hour for service personnel supervising
265 asbestos removal responsibilities for each hour these employ-

266 ees are involved in asbestos-related duties. Related duties
267 required for asbestos removal include, but are not limited to,
268 travel, preparation of the work site, removal of asbestos
269 decontamination of the work site, placing and removal of
270 equipment and removal of structures from the site. If any
271 member of an asbestos crew is engaged in asbestos related
272 duties outside of the employee's regular employment county,
273 the daily rate of pay shall be no less than the minimum
274 amount as established in the employee's regular employment
275 county for asbestos removal and an additional \$30 per each
276 day the employee is engaged in asbestos removal and related
277 duties. The additional pay for asbestos removal and related
278 duties shall be payable entirely from county funds. Before
279 service personnel employees may be used in the removal of
280 asbestos material or related duties, they shall have com-
281 pleted a federal Environmental Protection Act approved
282 training program and be licensed. The employer shall
283 provide all necessary protective equipment and maintain all
284 records required by the Environmental Protection Act.

285 (m) For the purpose of qualifying for additional pay as
286 provided in section eight, article five of this chapter, an aide
287 shall be considered to be exercising the authority of a
288 supervisory aide and control over pupils if the aide is
289 required to supervise, control, direct, monitor, escort or
290 render service to a child or children when not under the
291 direct supervision of a certified professional person within
292 the classroom, library, hallway, lunchroom, gymnasium,
293 school building, school grounds or wherever supervision is
294 required. For purposes of this section, "under the direct
295 supervision of a certified professional person" means that
296 certified professional person is present, with and accompa-
297 nyng the aide.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.


.....
Chairman Senate Committee

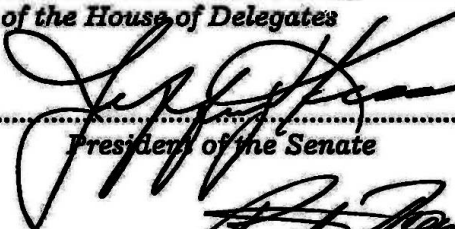

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Chairman House Committee

Originated in the Senate.

In effect from passage.


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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker of the House of Delegates

OFFICE WEST VIRGINIA
SECRETARY OF STATE

2012 MAR 20 PM 4:00

FILED

The within is approved this the 20th
March
Day of, 2012.


.....
Governor

PRESENTED TO THE GOVERNOR

MAR 15 2012

Time 1:50 pm